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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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00170-021 01/07/94 1811

EXAMINER

NAME IN BOLD PRINT
CN: OFFICE OF INTELLECTUAL PROPERTY
COUNSEL
P.O. BOX 3417
ST. PAUL, MN 55133-3417

ART UNIT PAPER NUMBER

2000 8

DATE MAILED: 01/07/94

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined Responsive to communication filed on _____ This action is made final.
A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892.
2. Notice of Art Cited by Applicant, PTO-1449.
3. Information on How to Effect Drawing Changes, PTO-1474.
4. Notice re Patent Drawing, PTO-948.
5. Notice of Informal Patent Application, Form PTO-152.
6. _____

Part II SUMMARY OF ACTION

1. Claims 1-17 are pending in the application.

Of the above, claims _____ are withdrawn from consideration.

2. Claims _____ have been cancelled.

3. Claims _____ are allowed.

4. Claims 1-17 are rejected.

5. Claims _____ are objected to.

6. Claims _____ are subject to restriction or election requirement.

7. This application has been filed with informal drawings under 37 C.F.R. 1.65 which are acceptable for examination purposes.

8. Formal drawings are required in response to this Office action.

9. The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are acceptable, not acceptable (see explanation or Notice re Patent Drawing, PTO-948).

10. The proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been approved by the examiner. disapproved by the examiner (see explanation).

11. The proposed drawing correction, filed on _____ has been approved. disapproved (see explanation).

12. Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has been received not been received been filed in parent application, serial no. _____; filed on _____

13. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. Other

EXAMINER'S ACTION

1. Claims 1-17 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claims are incomplete as follows: In claim 1, "a control signal" is not structurally connected to any of the recited circuit elements rendering the claim incomplete. What effect does the control signal have on the remainder of the circuitry?

Claim 10 is incomplete in failing to link the claim's preamble with the body of the claim, for instance, what causes preemption to occur with respect to the limitations as recited in the claim's body. It would appear that language such as -whereby preemption occurs- should be properly inserted at the end of the claim.

In claim 14, the "preemption control signal" is incomplete for the reasons advanced in claim 1.

In claim 16, there is no step as to the generation or production of "a map mode command" rendering the claim incomplete.

In claim 17, the language "issuing a preemption request" is incomplete since it does not relate to or tie the claim's preamble. What is being preempted? It appears that preemption should be recited in the claim's preamble.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --
(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claim 16 is rejected under 35 U.S.C. § 102(e) as being clearly anticipated by Mauney. The limitation (c) clearly reads on Mauney's GPS computer 14 that transmit the information to display 18.

4. Claims 1-15 and 17 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. § 112.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Art Unit: 2617

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Simms et al shows a vehicle GPS receiver and transmitter.

Robertson shows a traffic preemption system wherein map data is input into a computer for preemption purposes.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DONNIE L. CROSLAND whose telephone number is (703) 305-4388.

DLC
January 4, 1995



DONNIE L. CROSLAND
PRIMARY EXAMINER
GROUP 2600